

REMARKS/ARGUMENTS

Claims 1-6 are withdrawn and have been cancelled.

Claims 7-9, 11, 13 and 14 are amended.

Claim 9 is rejected under 35 U.S.C. 112, second paragraph, because the final clause of claim 9 is unclear as to what end faces are being claimed. Claim 9 has been amended to clarify what end faces are being claimed. Thus, the objection is moot.

Claim 13 is rejected under 35 U.S.C. 112, second paragraph, because the phrase “surface opposing to on both ends of the recess portion” is not idiomatic English. Claim 13 has been amended to make the phrase idiomatic English. Thus, the objection is moot.

Claim 8 and 15(8) are objected to as being dependent upon a rejected base claim. Claim 8 has been amended to be rewritten in an independent form. Thus, the objection is moot.

Claim 8 is objected to because of the informalities. Claim 8 has been amended to correct the informalities by deleting a set of quotation. Thus, the objection is moot.

Claims 7 and 11 are rejected under 35 U.S.C. 102 (b) as being anticipated by Japanese Patent Publication 02-274431 (Kurihara et al., hereinafter “Kurihara”).

Regarding claim 7, Kurihara does not disclose that the opening portion allows a finger to be inserted to push a side surface of the top tape wound on the winding drum. The Office Action states that Fig. 12 of Kurihara discloses an opening through which a side surface of the top tape 103 wound on the winding drum can be pushed directly with a finger. However, Kurihara does not disclose, teach or suggest that the opening of Fig. 12 in Kurihara allows a finger to be inserted to push a side surface of the top tape wound on the winding drum. Therefore, since

every limitation of claim 7 is not taught by the reference, claim 7 is not fully anticipated by Kurihara. Thus, withdrawal of the rejection as it applies to claim 7 is respectfully requested.

Regarding claim 11, the Office Action states that the limitation that the winding drum and the guide flange are bent in removing from the driving shaft are method of use limitation not given patentable weight in an apparatus claim. Claim 11 has been amended to eliminate the method of use limitation. Thus, the rejection as to this matter is moot.

Also, Kurihara does not disclose the winding drum and the guide flange are foldable in removing from the driving shaft in such a manner that the winding drum is positioned on an inner side and the guide flange is positioned on an outer side. Therefore, since every limitation of claim 11 is not taught by the reference, claim 11 is not fully anticipated by Kurihara. Thus, withdrawal of the rejection as it applies to claim 11 is respectfully requested.

Claims 12(7, 11) and 15(7, 11) are rejected under U.S.C. 103(a) as being unpatentable over Kurihara in view Japanese Patent Publication 11-046091 (Kubota, hereinafter "Kubota").

Regarding claims 12(7) and 15(7) which are dependent on claim 7, Kurihara does not disclose that the opening portion allows a finger to be inserted to push a side surface of the top tape wound on the winding drum. The Office Action states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kurihara which discloses the apparatus of the claimed invention except for the tapered winding surface and an inner surface of the guide flange formed as an inclined surface that reduces a thickness of the guide flange outwardly in the radial direction of the guide flange with Kubota which discloses the winding drum having a tapered winding surface and an inner side surface of the guide flange

is formed as an inclined surface that reduces a thickness of the guide flange outwardly in the radial direction of the guide flange. Although a rigid “teaching, suggestion, or motivation” test (TSM test) is not an appropriate test for obviousness inquiry, it is still required to show a reason for combining the elements in the manner claimed (KSR International, Co. v. Teleflex Inc., 550 U.S. ...). Here, neither Kurihara nor Kubota discloses, teaches or suggests that the opening portion allows a finger to be inserted to push a side surface of the top tape wound on the winding drum. Accordingly, there is no reason for combining Kurihara with Kubota for obviousness inquiry. Therefore, the asserted combination of Kurihara and Kubota does not render claims 12(7) and 15(7) obvious. Thus, withdrawal of the rejection as it applies to claims 12(7) and 15(7) is respectfully requested.

Regarding claims 12(11) and 15(11) which are dependent on claim 11, Kurihara does not disclose that the opening portion allows a finger to be inserted to push a side surface of the top tape wound on the winding drum, and the winding drum and the guide flange are foldable in removing from the driving shaft in such a manner that the winding drum is positioned on an inner side and the guide flange is positioned on an outer side. The Office Action states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kurihara which discloses the apparatus of the claimed invention except for the tapered winding surface and an inner surface of the guide flange formed as an inclined surface that reduces a thickness of the guide flange outwardly in the radial direction of the guide flange with Kubota which discloses the winding drum having a tapered winding surface and an inner side surface of the guide flange is formed as an inclined surface that reduces a thickness of the guide flange outwardly in the radial direction of the guide flange. Although a rigid “teaching,

suggestion, or motivation” test (TSM test) is not an appropriate test for obviousness inquiry, it is still required to show a reason for combining the elements in the manner claimed (KSR International, Co. v. Teleflex Inc., 550 U.S. ...). Here, neither Kurihara nor Kubota discloses, teaches or suggests that the opening portion allows a finger to be inserted to push a side surface of the top tape wound on the winding drum, and the winding drum and the guide flange are foldable in removing from the driving shaft in such a manner that the winding drum is positioned on an inner side and the guide flange is positioned on an outer side.. Accordingly, there is no reason for combining Kurihara with Kubota for obviousness inquiry. Therefore, the asserted combination of Kurihara and Kubota does not render claims 12(11) and 15(11) obvious. Thus, withdrawal of the rejection as it applies to claims 12(11) and 15(11) is respectfully requested.

Claims 10 and 14 are rejected under U.S.C. 103(a) as being unpatentable over Kurihara in view Ando et al. (U.S. 5,598,986, hereinafter “Ando”).

Regarding claims 10 and 14 which are dependent on claim 7, Kurihara does not disclose that the opening portion allows a finger to be inserted to push a side surface of the top tape wound on the winding drum. The Office Action states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kurihara which discloses the apparatus of the claimed invention except for the recess portion in the winding drum with Ando which discloses that the top tape winding drum includes recesses 6k. Although a rigid “teaching, suggestion, or motivation” test (TSM test) is not an appropriate test for obviousness inquiry, it is still required to show a reason for combining the elements in the manner claimed (KSR International, Co. v. Teleflex Inc., 550 U.S. ...). Here, neither Kurihara nor Ando discloses, teaches or suggests that the opening portion allows a finger to be inserted to push a

side surface of the top tape wound on the winding drum.. Accordingly, there is no reason for combining Kurihara with Ando for obviousness inquiry. Therefore, the asserted combination of Kurihara and Ando does not render claims 10 and 14 obvious. Thus, withdrawal of the rejection as it applies to claims 10 and 14 is respectfully requested.

Claims 12(10) and 15(10) are rejected under U.S.C. 103(a) as being unpatentable over Kurihara in view Ando, and further in view of Kubota.

Regarding claims 12(10) and 15(10) which are dependent on claim 7, Kurihara does not disclose that the opening portion allows a finger to be inserted to push a side surface of the top tape wound on the winding drum, and the winding drum and the guide flange are foldable in removing from the driving shaft in such a manner that the winding drum is positioned on an inner side and the guide flange is positioned on an outer side. The Office Action states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kurihara with Ando as applied to claim 10 and Kubota which shows a part supplying system wherein the winding drum has a tapered winding surface whose diameter increases in a direction that goes away from the guide flange. Although a rigid “teaching, suggestion, or motivation” test (TSM test) is not an appropriate test for obviousness inquiry, it is still required to show a reason for combining the elements in the manner claimed (KSR International, Co. v. Teleflex Inc., 550 U.S. ...). Here, none of Kurihara, Ando and Kubota discloses, teaches or suggests that the opening portion allows a finger to be inserted to push a side surface of the top tape wound on the winding drum. Accordingly, there is no reason for combining Kurihara with Ando and Kubota for obviousness inquiry. Therefore, the asserted combination of Kurihara,

Ando and Kubota does not render claims 12(10) and 15(10) obvious. Thus, withdrawal of the rejection as it applies to claims 12(10) and 15(10) is respectfully requested.


In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appl. No. 10/527,668
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If there are any fees resulting from this communication, please charge same to our
Deposit Account No. 16-0820, our Order No. NGB - 37938.

Respectfully submitted,

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